

Appl. No. 10042596
Amdt. Date: 8/9/05
Reply to Office action of: 3/21/05

REMARKS/ARGUMENTS

Claims 1, 9-11, 15 and 16 remain in this application the other claims now all cancelled. Claims 1, 9 and 11 have been amended.

Claim 1 is now in condition for allowance with respect to the 102 rejection of Hampton, which however teaches away from the use of angled cross bars. Also, the angle of 70 degrees has been shown to provide significant benefit in providing more natural muscle positions during weight training and therefore developing certain muscle groups more quickly and with more natural muscle development. The particular angle of 70 degrees also has been shown to result in fewer injuries especially to inexperienced lifters.

The 103 rejections of claims 4, 14 and 17; of 5-7 and 8, are now moot with respect to the cancellation of these claims.

With respect to the 103 rejections of claims 1, 9-11, 15 and 16, Jennings does not teach "an axially aligned integral center linear bar portion" which is critical to proper balance of the apparatus especially with heavy weights, and especially critical to the balance of the rotatable collar and attachment means of claims 9 and 10. Jennings does not teach the use of the 70 degree angle which provides particular advantages so as to meet the objectives of this application. Vitone's eyelet does not teach an eyelet mounted to a rotating collar so that the orientation of the weight lifting apparatus does not produce a rotational moment with respect to a cable as is present in Vitone Fig. 5. Such a rotating moment must be avoided for safety and proper workout mechanics reasons, but a solution is not taught in the references. It is also noted that the cross bars of the instant apparatus are recited in claim 1 as fixed; not adjustable. Such a fixed apparatus is not reflected in the references and has great benefit in safety of use, cost of manufacture, ease of use (not

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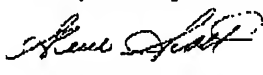
adjustment necessary), and will support a greater weight load. The patentable distinctions of the present apparatus as reflected in the remaining claims has been pointed out with particularity and it is respectfully requested that the examiner carefully review the present arguments and considerations to arrive at an equitable conclusion.

The existing claims of this application have been amended by combining content of the dependent claims with claim 1 to clearly distinguish over the references cited as discussed above. No new matter has been included and no new considerations that were not in the original application have been included.

A petition for extension of time in this response of two months and a corresponding petition fee are herein enclosed.

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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Attachments: Petition for Extension of Time; and Petition Fee